Affidavit by a Children's Advocate-Paralegal Concerning XXXXX Keenan Case

Upon being contacted by Amanah Neil F. Keenan concerning the pending 2020 court case pertaining to his juvenile son XXXXX Keenan – a United States born citizen residing in Bulgaria. Amanah Keenan proclaimed the Bulgarian government is barbaric with its alarming lack of Children's Protection Act and Social Services Act regulations enforcement; non-existent municipal social services and juvenile justice system; dysfunctional community implementation of prevention and crises intervention programs; unfounded accusations by legal authorities with alleged child abuse tactics and child protection neglect; as well as illegal threats, punishments and violent actions towards his son XXXXX Keenan, who was a teenager during the harassing and escalating punishment incidents over the past four years and age sixteen during the scheduled court case.

As a United States children's advocate and paralegal, I began researching the existing UN Convention on the Rights of the Child, European Union's Human and Children Rights Acts, Bulgarian Government's Children and Human Rights Acts to provide my evidentiary discoveries of Bulgaria Government's Unconstitutional Child Protective and Social Services Acts on behalf of Mr. and Mrs. Keenan's request in defense of their juvenile son, XXXXX Keenan's pending court case. My key findings are provided below:

BULGARIA: CHILD PROTECTION ACT 2000

Child Protection Act: http://cis-sacp.government.bg/sacp/CIS/content_en/law/item03.htm

The Bulgarian Ministry of Labour and Social Policy (MLSP) has announced the passage of significant changes in child protection legislation. The Ministry notes that these changes do not introduce new principles in the field of child protection, but regulate the coordination mechanisms related to the work of institutions from different sectors involved in child protection, as the protection of children is not solely the responsibility of the social system.

The provision of Article 36 G of the Child Protection Act aims to regulate and improve the approach and cooperation of different sectors in cases of violence against children. This interaction has been in place in Bulgaria since 2010 with the Coordination Mechanism for Cooperation in Work on Child, Victim or In Risk of Violence Cases and for Cooperation in Crisis Intervention, and the Work of Multidisciplinary Teams on a Local Level. Changes do not introduce new authority points for social workers, but their focus is on providing timely and targeted support to children and their parents by competent authorities, with the ultimate goal of preventing child abandonment.

According to the changes, children are placed outside the family only after a court decision and in very extreme cases of violence, neglect, and violation of the child's

interest (e.g., forced into prostitution, begging, or trafficking). At the same time, as a result of the adoption of the Social Services Act, the state gains a stronger stance on its 'control over the provision, financing and quality of social services to protect children and adults who use them.'

On the other hand, there are no changes to the role of municipalities in delivering social services. Municipalities remain a major provider of social services as the only institution that can entrust the management of government-funded social services to private individuals. This has been a principle in the legislation in Bulgaria for more than 17 years. It is interesting to note that in 2018, only 15.6% of all social services were assigned to private providers by municipalities.

Series this is part of:
Capacity development of actors
Decentralisation
Justice for children
Multi-Disciplinary Team Work
Capacity Building of Child Protection Professionals
Child Protection Information Sharing Programme
Contemporary issues in child protection

[BULGARIA] FORMER JUDGE RUMEN NENKOV DEFENDS SOCIAL SERVICES ACT IN BULGARIA AS CONSTITUTIONAL AND IN SOCIETY'S INTEREST

Judge Rumen Nenkov said that these conclusions were the product of '*lies and shameless manipulation'*, noting his stance:
My categorical opinion, however, is that there is no basis for declaring the SSA, in its entirety, as counter-constitutional.
Rumen Nenkov presented three possible hypotheses according to which the SSA may be unconstitutional:

1. *when its goal is incompatible with the principles and values established by the Constitution*;
2. *when the constitutional powers of certain bodies and institutions are revoked by it*;
3. *when in the framework of the general subject of legal regulation, the rights and freedoms of the citizens are unjustifiably punished*;

According to the above hypotheses, the SSA is not only **not** unconstitutional, it is based on ensuring the constitutional rights of the vulnerable and those who need the support of the state. All provisions of the Social Services Act are directly subordinated to the subject and purposes mentioned under art. 1:
The law regulates the provision, use, planning, financing, quality, control and monitoring of social services in the Republic of Bulgaria. (source: **Lex.bg(link is external)**)

The KidsRights Index is the only global ranking on children's rights that sets a standard and explains how countries can achieve them.

Children and Youth Protection in Bulgaria

Are children/teens allowed to stay in public places?

Children and young people are generally allowed to stay in public places, but some restrictions exist concerning the evenings and the type of the public places. According to the Child Protection Act, parents are obliged to accompany their children or to provide responsible full age person to accompany their children to 16 years of age on public places after 22.00 o'clock. The same responsibilities have other persons who take care for the raising and education of children. Otherwise, sanctions are imposed to the parents and caregivers of children.

If by not implementing this obligation parents and guardians leave the child without attention and enough care and with this endanger his physical, mental or moral development, they are sanctioned with imprisonment to 1 year or probation, as well as with public reproach. If anyone allows from 22.00 o'clock to 6.00 o'clock an unaccompanied child, who has not reached 16 years of age in his commercial property, can be fined either in cash or with property sanction.

Are children/teens allowed to stay in restaurants or dance halls / ballrooms?

An unaccompanied child, who has not reached 16 years of age is not allowed to stay in restaurants from 22.00 o´clock to 6.00 o´clock. If anyone allows from 22.00 o'clock to 6.00 o'clock an unaccompanied child, who has not reached 16 years of age in his commercial property, can be fined either in cash or with property sanction.
Disco/Dancehall: Young people under 18 years must leave the discotheque to 10 pm. Additionally there is a child Disco.

Are children/teens allowed to stay in night clubs, bars, casinos, places for gambling etc.?

Staying in bars, night clubs and similar places is allowed only for persons, who have reached 18 years of age.

Law For Gambling: http://www.dkh.minfin.bg/images_content/zakon_za_hazarta_en.pdf

Is it allowed for children/teens to go to internet café?

In computer and internet halls after 22 o'clock persons to 14 years of age are not allowed without a full age person, accompanying them, which is a responsibility of the owners or persons who are responsible for these halls for this rule to be followed.

Which restrictions are there if foreign young people want to work temporarily?

Every Bulgarian citizen and citizen of other country – member of the European Union and of other country – party of the Agreement for European Economic environment or of Switzerland Confederation who seeks a job can register in the territorial department of the Employment Agency.

There are age limits for persons, working under labor relations. Persons who have not reached 18 years of age cannot be employed. There are some exceptions – employment of persons, reached 16 years of age, but the rules and conditions for this to be done are specific and oblige the employer to have higher requirements about safe working.

To which institutions can children/teens turn to if they need help?

Council of Ministers, State Agency for Child Protection, Ministry of Interior, Ministry of Justice, Ministry of Labour and Social Policy, Ministry of Transport, Ministry of Health, Ministry of Education and Science and their subsidiary state and executive agencies.
German Embassy
ul. Frédéric Joliot-Curie 25
BG - 1113 Sofia
phone: ++359 2
main office: 918 38 0
fax: ++359-2
main office:963 16 58
info@sofia.diplo.de
emergency phone: 00359 887 217511
see: http://www.sofia.diplo.de/Vertretung/sofia/de/Startseite.html (website in german)

The KidsRights Index 2020

The Index is calculated by the KidsRights Foundation, Erasmus University Rotterdam: Erasmus School of Economics, and the International Institute of Social Studies.
All 182 countries which have ratified the UN Convention on the Rights of the Child are included in the index.

Iceland, Switzerland and Finland top the scale as countries where children's rights are best guaranteed. At the bottom remains Chad, Afghanistan and Sierra Leone.

Ranking in South-Eastern Europe:

- 20th Croatia
- 30th Bulgaria

The KidsRights Index focuses on:

- **Right to life** (Under five mortalities • Life expectancy at birth • Maternal mortality ratio)
- **Right to health** (% of under five-year-olds suffering from underweight • Immunization of one year old children • % of population using improved sanitation facilities • % of population using improved drinking water sources)
- **Right to education** (Expected years of schooling of girls • Expected years of schooling of boys • Gender inequality in expected years of schooling)
- **Right to protection** (Child labour • Adolescent birth rate • Birth registration)
- **Enabling environment for child rights** (Non-discrimination • Best interests of the child • Respect for the views of the child/child participation • Enabling legislation • Best available budget)
  Each domain has the same weight, and the average values of the domains are calculated. The Index is a ranked country list with colour codes indicating relevant clusters of rankings on a world map.

Based on Amanah Neil F. Keenan documented briefings of the escalating incidents and pending court case charges concerning his juvenile son, XXXXX Keenan and upon review of the UN Convention on the Rights of the Child, European Union Human and Child Rights Acts, Bulgarian Child Protection Acts and Social Services Acts, as well as KidsRights Index Report; In my professional, paralegal and child advocate opinion, I've concluded that Charles Keenan's – a sixteen year old juvenile and United States citizen – International, European Union and Bulgarian human and children's rights have been atrociously violated by the Bulgarian Government's unconstitutional Child Protection and Social Services Acts and Plovdiv Municipality's Justice and Legal Systems Officers and Social Services Agents.

Respectfully,

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Paralegal and Children's Advocate